

6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,
9

10 Plaintiff,

11 v.

12
13 Daytrion Branch

14 Defendant.
15

CASE NO. CR 18-551-AB

ORDER OF DETENTION

16 I.

17 A. () On motion of the Government in a case allegedly involving:

- 18 1. () a crime of violence.
19 2. () an offense with maximum sentence of life imprisonment or death.
20 3. () a narcotics or controlled substance offense with maximum sentence
21 of ten or more years .
22 4. () any felony - where the defendant has been convicted of two or more
23 prior offenses described above.
24 5. () any felony that is not otherwise a crime of violence that involves a
25 minor victim, or possession or use of a firearm or destructive device
26 or any other dangerous weapon, or a failure to register under 18
27 U.S.C § 2250.

28 B. ☒ On motion by the Government / () on Court's own motion, in a case

1 allegedly involving:

2 ~~X~~ On the further allegation by the Government of:

3 1. ~~X~~ a serious risk that the defendant will flee.

4 2. () a serious risk that the defendant will:

5 a. () obstruct or attempt to obstruct justice.

6 b. () threaten, injure, or intimidate a prospective witness or juror or
7 attempt to do so.

8 C. The Government () is/ () is not entitled to a rebuttable presumption that no
9 condition or combination of conditions will reasonably assure the defendant's
10 appearance as required and the safety of any person or the community.

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12 II.

13 A. ~~X~~ The Court finds that no condition or combination of conditions will
14 reasonably assure:

15 1. ~~X~~ the appearance of the defendant as required.

16 () and/or

17 2. () the safety of any person or the community.

18 B. () The Court finds that the defendant has not rebutted by sufficient
19 evidence to the contrary the presumption provided by statute.

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21 III.

22 The Court has considered:

23 A. the nature and circumstances of the offense(s) charged, including whether the
24 offense is a crime of violence, a Federal crime of terrorism, or involves a minor
25 victim or a controlled substance, firearm, explosive, or destructive device;

26 B. the weight of evidence against the defendant;

27 C. the history and characteristics of the defendant; and

28 D. the nature and seriousness of the danger to any person or to the community.

1 IV.

2 The Court also has considered all the evidence adduced at the hearing and the
3 arguments and/or statements of counsel, and the Pretrial Services
4 Report/recommendation.

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6 V.

7 The Court bases the foregoing finding(s) on the following:

8 A. ~~(X)~~ As to flight risk:

9 flight risk only
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16 B. () As to danger:
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24 VI.

25 A. () The Court finds that a serious risk exists that the defendant will:

26 1. () obstruct or attempt to obstruct justice.

27 2. () attempt to/ () threaten, injure or intimidate a witness or juror.
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1 B. The Court bases the foregoing finding(s) on the following:
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9 VII.
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11 A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.

12 B. IT IS FURTHER ORDERED that the defendant be committed to the custody
13 of the Attorney General for confinement in a corrections facility separate, to
14 the extent practicable, from persons awaiting or serving sentences or being
15 held in custody pending appeal.

16 C. IT IS FURTHER ORDERED that the defendant be afforded reasonable
17 opportunity for private consultation with counsel.

18 D. IT IS FURTHER ORDERED that, on order of a Court of the United States
19 or on request of any attorney for the Government, the person in charge of the
20 corrections facility in which the defendant is confined deliver the defendant
21 to a United States marshal for the purpose of an appearance in connection
22 with a court proceeding.
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26 DATED: 9-21-78

Patrick J. Walsh
UNITED STATES MAGISTRATE JUDGE
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IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

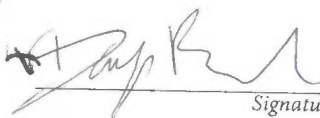
You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 9/21/18


[or]

Signature of Defendant

9/21/18

I have personally heard a translation in the _____ language read to me and understand the above Advisement of Rights.

Dated: _____

Signature of Defendant

STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the _____ language.

Dated: _____

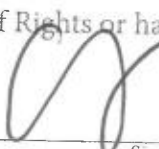
Signature of Interpreter

Print Name of Interpreter

STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 9/21/18



Signature of Attorney